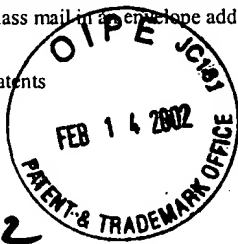


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Assistant Commissioner for Patents  
Washington, D.C. 20231



Attorney Docket No.: 023070-099910US  
Client Reference No.: 99-404-2

PATENT

On

2/4/02

TOWNSEND and TOWNSEND and CREW LLP

By:

*[Signature]*

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FEB 20 2002  
MAIL ROOM 1600/2900

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

FISCHER et al.

Application No.: 09/840,743

Filed: April 23, 2001

For: NUCLEIC ACIDS THAT  
CONTROL PLANT DEVELOPMENT

Examiner: Not yet assigned

Art Unit: Not yet assigned

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. Also enclosed is a copy of the International Search Report corresponding to the related PCT application. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant

information, and no inference should be made that the information and references are cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the mailing of the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Matthew E. Hinsch  
Reg. No. 47,651

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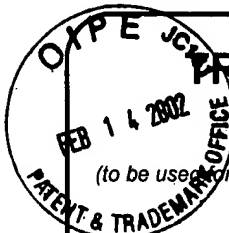
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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

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Total Number of Pages in This Submission

1

Application Number

09/840,743

Filing Date

April 23, 2001

First Named Inventor

Fischer, et al.

Group Art Unit

not yet assigned

Examiner Name

not yet assigned

Attorney Docket Number

020370-099910US

TECH CENTER 1600/2900

FEB 20 2002

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## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement with 14 references

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s)

☐ After Allowance Communication Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

Return Postcard, Copy of International Search Report for related PCT Application

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name

Townsend and Townsend and Crew LLP

Matthew E. Hinsch

Reg. No. 47,651

Signature

Date

February 4, 2002

## CERTIFICATE OF MAILING

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Allison D. Frederick

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Date

February 4, 2002

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